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STATE OF COLORADO

COLORADO DEPARTMENT OF HEALTH
Dedicated to protecting and improving the health and
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Roy Romer
Governor

Patricia A. Nolan, MD, MPH
Executive Director

February 8, 1993

Mr. Richard J. Schassburger
U. S. Department of Energy
Rocky Flats Office, Bldg 116
P.O. Box 928
Golden, Colorado 80402-0928

RE: Phase I RFI/RI Workplan for OU 13 (100 area)

Dear Mr. Schassburger,

As you are aware, DOE was required by the IAG (Table 6 of the Statement of Work) to submit an approvable Final Phase I RFI/RI Workplan for OU 13 on October 12, 1992. DOE did, in fact, submit a final version of the workplan, but approval was withheld on November 10, 1992 pending the resolution of several remaining matters. Since that date, we have not had any substantive communication with DOE or EG&G personnel regarding the OU 13 Workplan.

One of the major issues that needed resolution was the preparation and approval of an SOP for in-situ characterization of radionuclides. A draft version of this procedure was submitted to the Division on September 2, 1992 and extensive comments were returned to DOE on September 23, 1992. A revised version of this procedure was not submitted until January 28, 1993 and a review of this new submittal confirms that most, if not all, of our comments remain unaddressed.

It is apparent that DOE is not taking our comments or IAG milestones seriously. This is unacceptable to the Division. Moreover, on this and other IAG related issues, we have been more than accomodating with no apparent improvement in DOE's ability or willingness to comply with IAG milestones.

An approvable version of the radionuclide characterization procedure should be submitted to the Division by February 24, 1993. In addition, an approvable version of the OU 13 Phase I RFI/RI Workplan must be submitted by March 10, 1993 with all conditions specified in our letter of November 10, 1992 satisfied. If this does not occur,

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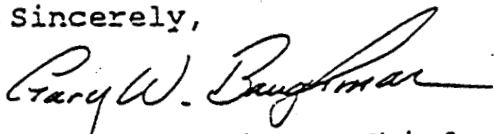
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the Division will ask EPA to assess DOE stipulated penalties pursuant to the schedule for OU 13 in the IAG.

If you have any questions regarding these matters, please call Joe Schieffelin of my staff at 692-3356.

Sincerely,



Gary W. Baughman, Chief
Facilities Section
Hazardous Waste Control Program

cc: Martin Hestmark, EPA
Bob Birk, DOE
Jen Pepe, DOE
Mike Arndt, EG&G
Mike McHugh, EG&G
Dan Miller, AGO
Jackie Berardini, CDH-OE